

HOUSE BILL 2497
By DeBerry L

AN ACT to amend Tennessee Code Annotated, Title 37, Chapter 1 and Title 39, Chapter 15, Part 4, relative to investigations following reports of child abuse, aggravated child abuse or child sexual abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 37, Chapter 1, Part 4, is amended by adding the following as an appropriately numbered new section:

Section____. Notwithstanding any other provision of law to the contrary:

(a) If a report of child brutality, abuse or neglect is made in accordance with the provisions of Tennessee Code Annotated, Section 37-1-403, and if the department or child protective team has failed to begin its investigation of the report within seven (7) days from the date the report is made, then the department shall notify the office of the sheriff of the county or the chief law enforcement official of the municipality where the child resides.

(b) It shall be the duty of the office of the sheriff or law enforcement official so notified to conduct the initial investigation of the information contained in the report. After completing the initial investigation, the law enforcement official shall inform the department of the results of the investigation and continue the investigation as is necessary.

(c) If the initial investigation by the law enforcement official concludes that the report of child brutality, abuse or neglect has some basis in fact, the

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department shall be so notified and the provisions of this part shall be effectuated.

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 1, Part 6, is amended by adding the following as an appropriately numbered new section:

Section____. Notwithstanding any other provision of law to the contrary:

(a) If a report of child sexual abuse is made in accordance with the provisions of Tennessee Code Annotated, Section 37-1-605, and if the department or child protective team has failed to begin its investigation of the report within seven (7) days from the date the report is made, then the department shall notify the office of the sheriff of the county or the chief law enforcement official of the municipality where the child resides.

(b) It shall be the duty of the office of the sheriff or law enforcement official so notified to conduct the initial investigation of the information contained in the report. After completing the initial investigation, the law enforcement official shall inform the department of the results of the investigation and continue the investigation as is necessary.

(c) If the initial investigation by the law enforcement official concludes that the report of child sexual abuse has some basis in fact, the department shall be so notified and the provisions of this part, including the child protective investigation team, shall be effectuated.

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 15, Part 4, is amended by adding the following as an appropriately numbered new section:

Section____. Notwithstanding any other provision of law to the contrary:

(a) If a report or allegation that the offense of child abuse and neglect under Tennessee Code Annotated, Section 39-15-401, or aggravated child abuse under Tennessee Code Annotated, Section 39-15-402 has been committed and a report is made in accordance with the provisions of Tennessee

Code Annotated, Section 37-1-605 or 37-1-403, and if the department or child protective team has failed to begin its investigation of the report within seven (7) days from the date the report is made, then the department shall notify the office of the sheriff of the county or the chief law enforcement official of the municipality where the child resides.

(b) It shall be the duty of the office of the sheriff or law enforcement official so notified to conduct the investigation of the alleged offense in the same manner as other criminal offenses. After completing such investigation, the law enforcement official shall inform the department of human services, and such other appropriate officials and agencies as is required by law in such cases, of the results of such investigation.

. SECTION 4. This act shall take effect July 1, 1998, the public welfare requiring it.